

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

SHATTUCK BANCSHARES, INC.,
AND SNB BANK, N.A.

Plaintiffs,

v.

Case No. 5:24-cv-00677-J

ERIC HANNELIUS, MICHAEL
SHVARTSMAN, OKSANA MOORE,
KARLA KNIGHT, ELENA POPOVA,
JUSTIN SOULEN, BILL MY BNK,
LLC, BT ASSETS GROUP, INC., EFT
BUSINESS SERVICES, LLC,
ENCOMPAY, INC.,
HANNELIUS-KNIGHT FAMILY
TRUST, MG FAMILY TRUST, ONE
PAY CLOUD, LLC, OST, LLC,
PEPPER PAY, LLC, ROCKET
HOLDINGS, LLC, SALT MONEY,
INC., SKYLIGHT BUSINESS
SERVICES, LLC, TRANSACT FIRST,
INC., AND TRANSACTION
PROCESSING SERVICES, INC.,

Defendants.

DECLARATION OF MICHAEL SHVARTSMAN

I, Michael Shvartsman, of lawful age and sound mind do swear, under penalty of perjury pursuant to the laws of the state of Florida, to the following:

1. I am a Defendant in the above-captioned matter.
2. I am over the age of 18 and have personal knowledge of the facts stated herein.
3. I have reviewed the Affidavit of Service from process server Roy Miller attached hereto as Exhibit A as related to Michael Shvartsman, and the Affidavit of Service from process server Roy Miller attached hereto as Exhibit B as related to the MG Family Trust (hereinafter

referred to either individually or collectively as the “Affidavits”). Both Affidavits contend service was made on me in a similar manner.

4. Mr. Miller makes several false statements in his Affidavits.

5. First, Mr. Miller claims that he personally served me, and that he served me as registered agent for the MG Family Trust, on June 15, 2024, at 11:01 am and 11:04 am respectively. In connection therewith, he contends as follows:

Went into building and spoke to front desk. They confirmed that this was Michael's unit and they said either he or his brother was upstairs. I went up to the unit, unit under renovations, and I asked for Michael Shvartsman. Man in back of unit said "yes" and then he said to leave the documents on the Rumba so I did.

6. Such service was purportedly affected at 18555 Collins Ave., Unit 2701, Sunny Isles Beach, FL 33160 (hereinafter the “Property”).

7. The Property has been in the process of being renovated for over a year, and such renovations were ongoing on June 15, 2024.

8. On June 15, 2024, I did not reside at the Property.

9. Moreover, I have not resided at the Property during the ongoing renovations either before or after June 15, 2024.

10. I have one brother, Gerald Shvartsman.

11. My brother does not reside at the Property and did not reside at the Property on June 15, 2024.

12. Neither I, nor my brother, were at the Property on June 15, 2024.

13. The only people that would have been lawfully at the Property on the date in question would have been construction workers involved in the ongoing renovation work, most of whom that I have met do not speak English, and none of whom are authorized to accept documents for me or service of process on my behalf.

14. Had the process server further inquired of whomever allegedly said “yes” as stated in his Affidavits, he would have presumably learned that the person in question did not reside at the Property, was not me, and was not authorized to accept documentation or service of process on my behalf.

15. While I am 6 feet tall and between the ages of 45 and 54, I wear glasses, have brown hair, and I also weighed approximately 230 pounds (significantly more than the estimate provided for in the Affidavits) on the date in question.

16. Additionally, I do not believe that Oklahoma has personal jurisdiction over me.

17. I have never done business in Oklahoma, and I have never even been to Oklahoma.

18. To the extent I had any communications with Plaintiff, SNB Bank or signed any documents for SNB Bank, I did so from my place of employment in Miami, Florida and I did so solely in my capacity as an employee of one of the corporate Defendants in this matter.

I declare under penalty of perjury the foregoing is true and correct.

Executed this 10th day of July, 2024.

A handwritten signature in dark ink, consisting of several overlapping, sweeping strokes, positioned above a solid horizontal line.

EXHIBIT A

IN THE DISTRICT COURT OF ELLIS COUNTY, STATE OF OKLAHOMA

SHATTUCK BANCSHARES, INC., and SNB BANK, N.A.

Plaintiff(s) / Petitioner(s)

v.

ERIC HANNELIUS, MICHAEL SHVARTSMAN, OKSANA MOORE, KARLA KNIGHT, ELENA POPOVA, JUSTIN SOULEN, BILL MY BNK, LLC, BT ASSETS GROUP, INC., EFT BUSINESS SERVICES, LLC, ENCOMPAY, INC., HANNELIUS-KNIGHT FAMILY TRUST, MG FAMILY TRUST, ONE PAY CLOUD, LLC, OST, LLC, PEPPER PAY, LLC, ROCKET HOLDINGS, LLC, SALT MONEY, INC., SKYLIGHT BUSINESS SERVICES, LLC, TRANSACT FIRST, INC., and TRANSACTION PROCESSING SERVICES, INC

Case No.: CJ-2024-9

Defendant(s) / Respondent(s)

AFFIDAVIT OF SERVICE

I, Roy Miller, state:

I am 18 years or older and not a party to this action or a member of a corporation or organization that is a party to this action.

I served the following documents to Michael Shvartsman in Miami-Dade County, FL on June 15, 2024 at 11:01 am at 18555 Collins Ave., Unit 2701, Sunny Isles Beach, FL 33160 by personal service by handing the following documents to an individual identified as Michael Shvartsman.

Summons
Petition
Exhibits

Additional Description:

Went into building and spoke to front desk. They confirmed that this was Michael's unit and they said either he or his brother was upstairs. I went up to the unit, unit under renovations, and I asked for Michael Shvartsman. Man in back of unit said "yes" and then he said to leave the documents on the Rumba so I did.

White Male, est. age 45-54, glasses: N, Black hair, 160 lbs to 180 lbs, 6' to 6' 3".
Geolocation of Serve: <https://google.com/maps?q=25.948297423,-80.1200478291>
Photograph: See Exhibit 1

Total Cost: \$156.70

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

Executed in

Miami-Dade County

FL on 6/19/2024.

/s/ *Roy Miller*

Signature
Roy Miller
+1 (786) 327-4973

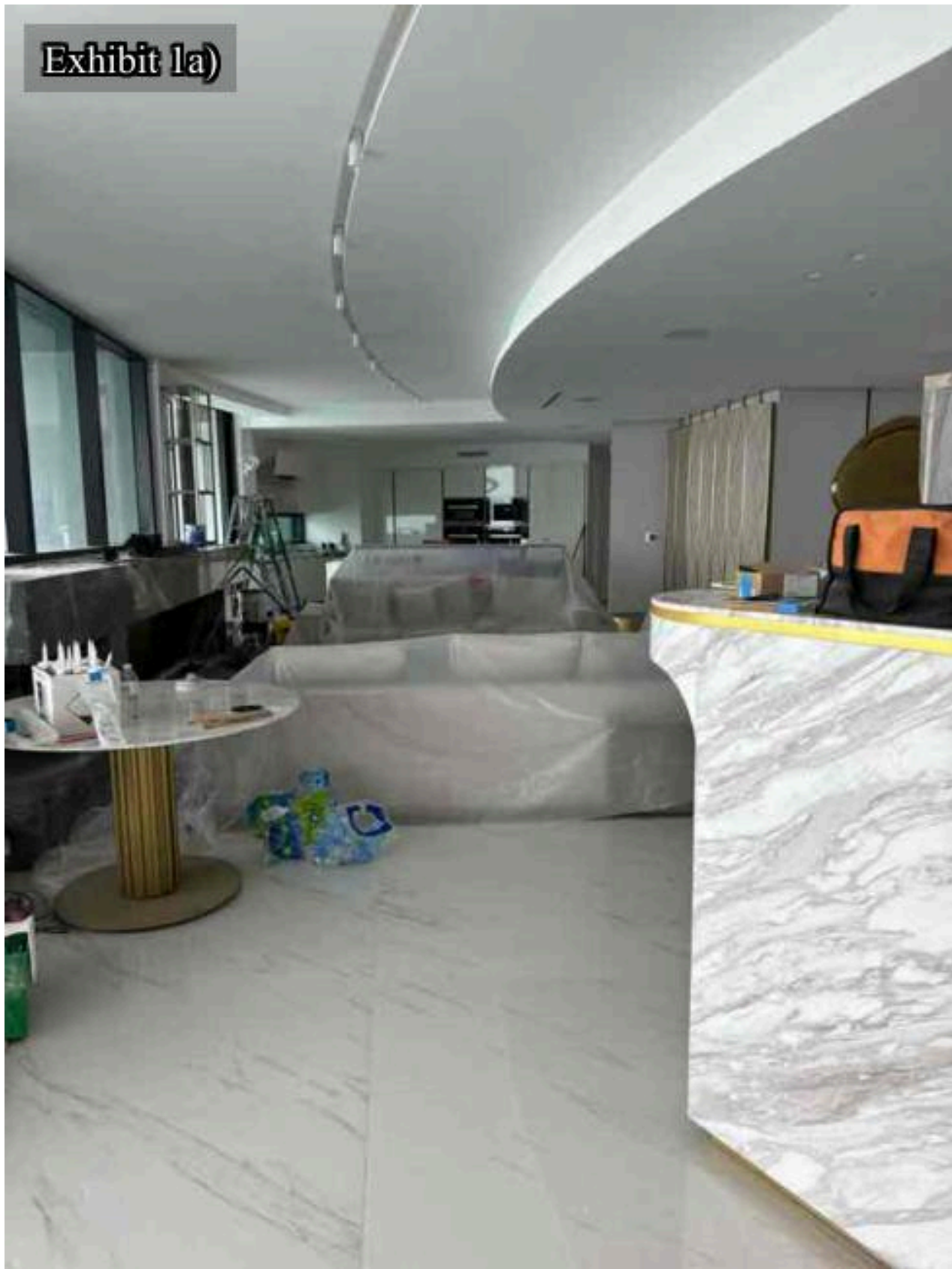


Exhibit 1b)



EXHIBIT B

IN THE DISTRICT COURT OF ELLIS COUNTY, STATE OF OKLAHOMA

SHATTUCK BANCSHARES, INC.; SNB BANK, N.A.

Plaintiff(s) / Petitioner(s)

v.

**ERIC HANNELIUS, MICHAEL SHVARTSMAN, OKSANA
MOORE, KARLA KNIGHT, ELENA POPOVA, JUSTIN
SOULEN, BILL MY BNK, LLC, BT ASSETS GROUP, INC.,
EFT BUSINESS SERVICES, LLC, ENCOMPAY, INC.,
HANNELIUS-KNIGHT FAMILY TRUST, TRANSACTION
PROCESSING SERVICES, INC., MG FAMILY TRUST, ONE
PAY CLOUD, LLC, OST, LLC, PEPPER PAY, LLC,
ROCKET HOLDINGS, LLC, SALT MONEY, INC.,
SKYLIGHT BUSINESS SERVICES, LLC, TRANSACT
FIRST, INC.**

Case No.: CJ-2024-9

Defendant(s) / Respondent(s)

AFFIDAVIT OF SERVICE

I, Roy Miller, state:

I am 18 years or older and not a party to this action or a member of a corporation or organization that is a party to this action.

I served the following documents to MG Family Trust in Miami-Dade County, FL on June 15, 2024 at 11:04 am at 18555 Collins Ave., Unit 2701, Sunny Isles Beach, FL 33160 by leaving the following documents with Michael Schwartzman who as Registered Agent is authorized by appointment or by law to receive service of process for MG Family Trust.

Petition
Summons
Exhibits

Additional Description:

Went into building and spoke to front desk. They confirmed that this was Michael's unit and they said either he or his brother was upstairs. I went up to the unit, unit under renovations, and I asked for Michael Shvartsman. Man in back of unit said "yes" and then he said to leave the documents on the Rumba so I did.

White Male, est. age 45-54, glasses: N, Black hair, 180 lbs to 200 lbs, 6' to 6' 3".
Geolocation of Serve: <https://google.com/maps?q=25.9481936938,-80.120057523>
Photograph: See Exhibit 1

Total Cost: \$81.70

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

Executed in

Miami-Dade County,

FL on 6/19/2024.

/s/ Roy Miller

Signature

Roy Miller

+1 (786) 327-4973

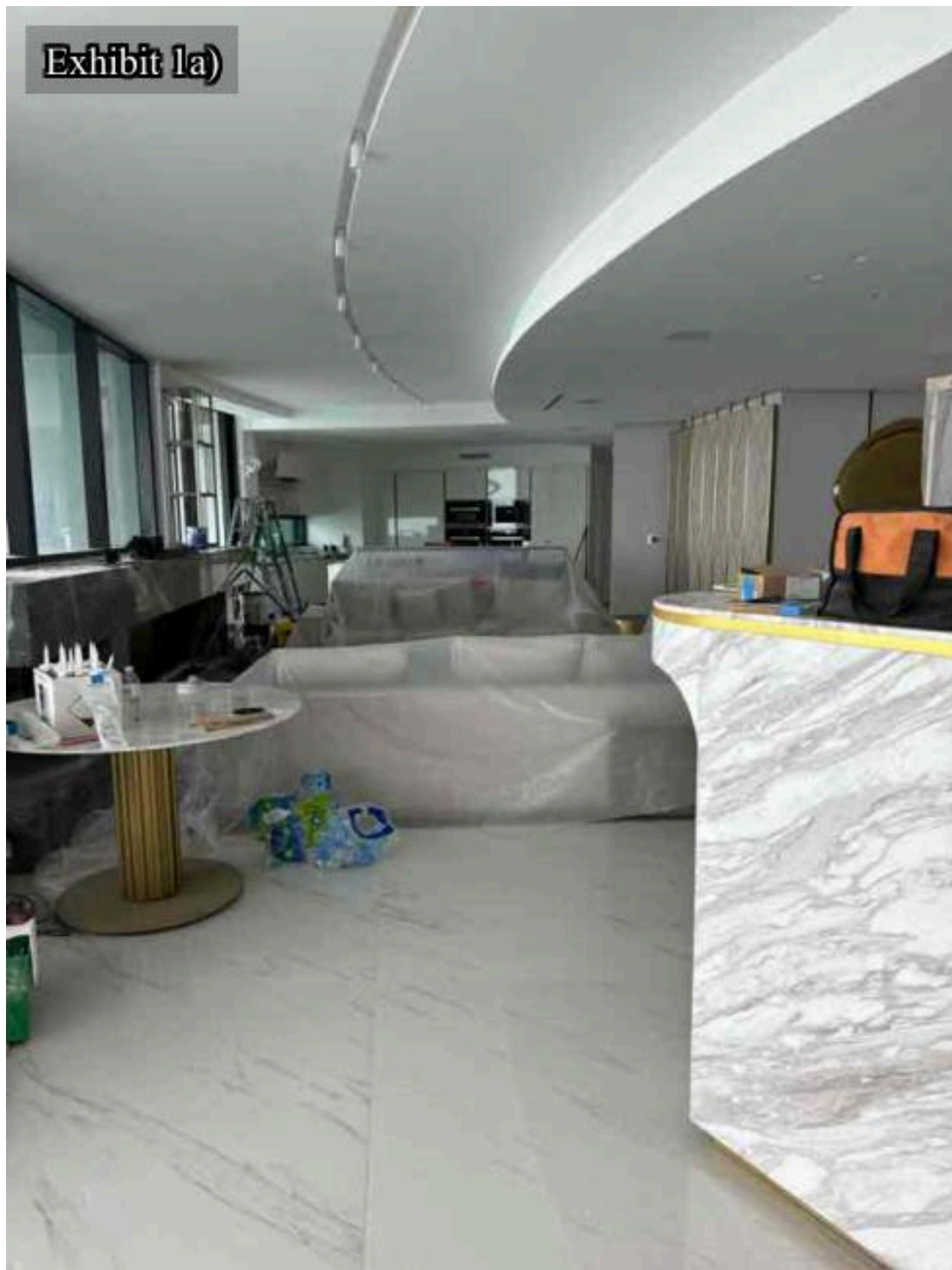


Exhibit 1b)

